

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO THE SENATE AMENDMENT TO H.R. 5063
OFFERED BY MR. THOMAS OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. Section 114 of Public Law 107–229 is
2 amended by striking “the date specified in section 107(c)
3 of this joint resolution” and inserting “March 31, 2003”.

4 SEC. 2. (a) IN GENERAL.—The Temporary Extended
5 Unemployment Compensation Act of 2002 (26 U.S.C.
6 3304 note) is amended by adding at the end the following:
7 **“SEC. 210. EXTENSION OF PROGRAM IN HIGH UNEMPLOY-**
8 **MENT STATES.**

9 “(a) IN GENERAL.—Notwithstanding section 208(2),
10 an agreement entered into under this title shall apply to
11 weeks of unemployment beginning after December 28,
12 2002, and ending before February 2, 2003, but only as
13 provided in this section and section 211.

14 “(b) NEW ACCOUNT.—If, at any time during the pe-
15 riod described in subsection (a), an individual’s State is
16 in an extended benefit period (as determined under section
17 203(c)(2)), and such individual meets the requirements of
18 section 202(b)–(c), such State shall establish an account
19 under this section for such individual (to be available be-



1 ginning with the individual's first week of unemployment
2 within such period as to which both of those conditions
3 are met) in an amount equal to the amount determined
4 in accordance with section 203(b).

5 “(c) ELIGIBILITY FOR PAYMENTS.—In the case of an
6 individual for whom an account is established under sub-
7 section (b)—

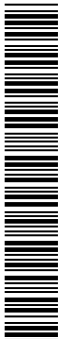
8 “(1) temporary extended unemployment com-
9 pensation shall be payable for any week of unem-
10 ployment described in subsection (a) for which such
11 individual would qualify if the criteria in effect for
12 the week ending on December 28, 2002, were ap-
13 plied (and section 202(d)(3) were disregarded); and

14 “(2) any temporary extended unemployment
15 compensation payable to an individual under this
16 section shall be payable only out of the account es-
17 tablished for such individual under subsection (b).

18 “(d) INELIGIBLE INDIVIDUALS.—Notwithstanding
19 any other provision of this section, no account under sub-
20 section (b) shall be established for the benefit of an indi-
21 vidual for whom an account was established under section
22 203, if—

23 “(1) such account was at any time augmented
24 in the manner described in section 203(c); and

25 “(2) such account (as so augmented)—



1 “(A) was exhausted before December 29,
2 2002; or

3 “(B) remains available, for weeks begin-
4 ning on or after December 29, 2002, by virtue
5 of section 211.

6 **“SEC. 211. PHASE-OUT PROVISIONS.**

7 “(a) IN GENERAL.—In the case of an individual who
8 is receiving temporary extended unemployment compensa-
9 tion for a week of unemployment ending on December 28,
10 2002, the provisions of this title and of any agreement
11 then in effect shall be applied in a manner such that any
12 amounts remaining in an account established for such in-
13 dividual under section 203 as of that date shall continue
14 to remain available to the same extent and in the same
15 manner as if section 208(2) had been amended by striking
16 ‘January 1’ and inserting ‘February 2’.

17 “(b) COORDINATION PROVISION.—After any
18 amounts (in an account established under section 203) re-
19 maining available for the benefit of an individual by virtue
20 of subsection (a) are exhausted, section 210 shall apply
21 to such individual in accordance with its terms.

22 “(c) RULE OF CONSTRUCTION.—Nothing in this title
23 shall be considered to permit or require the payment of
24 any amount, out of an account established under section



1 203 or 210, for any week of unemployment ending after
2 February 1, 2003.”.

3 (b) CLERICAL AMENDMENT.—The table of contents
4 of Public Law 107–147 is amended by inserting after the
5 item relating to section 209 the following:

“210. Extension of program in high unemployment States.

“211. Phase-out provisions.”.

6 SEC. 3. Section 1848(i)(1)(C) of the Social Security
7 Act (42 U.S.C. 1395w–4(i)(1)(C)) is amended to read as
8 follows:

9 “(C) the determination of conversion fac-
10 tors under subsection (d), including without
11 limitation a prospective redetermination of the
12 sustainable growth rates for any or all previous
13 fiscal years,”.

Amend the title so as to read as follows: “An Act
to make technical amendments to the Social Security Act
and related Acts.”.

